

Notice of Allowability	Application No.	Applicant(s)	
	09/902,757	THOUMY ET AL.	
	Examiner	Art Unit	
	Dac V. Ha	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to amendment filed on 06/24/05.
2. The allowed claim(s) is/are 1-13, 21-23, 14, 16, 18, 20, 15, 17, 19, renumbered as 1-23, respectively.
3. The drawings filed on 07/12/01 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Dac V. Ha
Primary Examiner
Art Unit: 2634

Allowable Subject Matter

1. This office action is in response to the amendment filed on 06/24/05.
2. Claims 1-23 are allowed.
3. The following is a statement of reasons for the indication of allowable subject matter:

Upon further consideration and comparison with prior art of record (closest reference, Peterson et al. – US 6,529,631), claims 1-23 are allowed. The present invention relates to method and apparatus for encoding and decoding blocks of data, in which, for at least one of the blocks of data, at least one parameter associated with the at least one block of data is transmitted, the parameter representing the relative importance of the block of data associated with the parameter within a message by all the blocks of data, and in which the data is coded by channel coding method which does not take into account the parameter". Peterson discloses encoding method where image or video is encoded taking into account the perceptual metric, however, such metric is utilized for generating optimal encoded signal at the encoder and not transmitted with the data. Peterson, taking alone or in combination with others, fails to fairly teach the above claimed subject matter in independent claims 1, 2 and similarly in independent claims 6, 7 (claims 3-5, 8-23 depend therefrom). Thus, claims 1-23 are found to be novel and unobvious over prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dac V. Ha whose telephone number is 571-272-3040. The examiner can normally be reached on 5/4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dac V. Ha
Primary Examiner
Art Unit 2634